

LEVI&KORSINSKY LLP

**MEMO ENDORSED**

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August 23, 2019

**VIA ELECTRONIC CASE FILING**

The Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2203  
New York, NY 10007

**Re: Berdeaux v. OneCoin LTD, et al. No. 1:19-cv-04074-VEC (S.D.N.Y.)**

Dear Judge Caproni:

My firm, Levi & Korsinsky, LLP, represents Lead Plaintiff Donald Berdeaux ("Berdeaux") and Plaintiff Christine Grablis in the subject action. We write in response to your Order entered earlier today (Dkt. # 45).

As noted in Plaintiff's initial complaint (Dkt. # 1) and first amended complaint (Dkt. # 40), OneCoin Ltd. and Ruja Ignatova are domiciled in Bulgaria and are believed to be evading service. Sebastian Greenwood, similarly, is domiciled in Sweden, and is believed to be evading service.

Because, as noted in the complaints, all three of these defendants are foreign, the 90 day time limit for service upon these three defendants is inapplicable. See Fed. R. Civ. P. 4(m). However, Plaintiffs are mindful of the need to effectuate service to proceed with the litigation in an efficient manner; and Plaintiffs recognize the Court's concerns regarding effectuating timely service. Accordingly, Plaintiffs intend to file in the near future a motion for leave to effectuate alternative service upon these three foreign defendants. Plaintiffs intend to propose methods of service that are constitutionally-adequate, as well being fastest and the most likely way to provide formal notice to the three defendants of the charges brought against them in this action, such as service by e-mail, which this Court has approved on multiple occasions. See, e.g., *AMTO LLC v. Bedford Asset Mgmt., LLC*, 2015 WL 3457452, at \*7 (S.D.N.Y. June 1, 2015) (permitting service by e-mail on Russian defendant); *F.T.C. v. Pecon Software Ltd.*, 2013 WL 4016272, at \*5 (S.D.N.Y. Aug. 7, 2013) (permitting service by e-mail and Facebook upon defendant in India).

Plaintiffs are available at the Court's convenience to respond to any further questions as may arise.

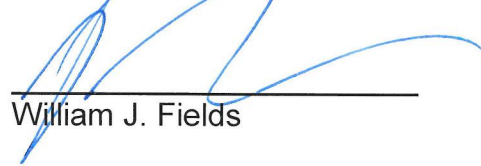
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Respectfully submitted,

LEVI & KORSINSKY, LLP



William J. Fields

cc: All counsel of record (via ECF)  
Wendy Schwartz, Esq. (via email)  
Lindsay A. Bush, Esq. (via email)

Starting on **September 3, 2019**, Lead Plaintiff must file a letter on the first business day of each month updating the Court on his efforts to effect service on all Defendants who have not been served. Lead Counsel is warned against missing these deadlines and must be diligent in effecting service.

SO ORDERED.

 8/23/2019

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE